

REMARKS

Claims 1-59 were examined. With this amendment, claims 11, 27-29 and 37-39 are cancelled, leaving 1-10, 12-26, 30-36 and 40-59 for examination.

Allowable Subject Matter

Objection to claims 11 and 28

The Examiner has objected to claims 11 and 28 as being dependent upon a rejected base claim, but has indicated that these claims would be allowable if rewritten to include the base claim. We have cancelled these claims and incorporated their limitations into the independent claims.

Allowance of claims 40-57

The Examiner has indicated that claims 40-57 are allowable.

Objection to Claims 12 and 29

The Examiner has objected to claims 12 and 29 because they state that successive pattern descriptions are non-overlapping on the workpiece, but claim 1 says that at least two pattern descriptions are overlapping. There is no inconsistency, as the 29th and 39th sub-images, for instance, could overlap, although they were not generated in immediate succession. Nonetheless, refer to amended claim 1, from which claim 12 depends. Claim 29 has been cancelled.

Rejection of Claims 1-10, 12-26, 29-36, 58 and 59 under 35 U.S.C. §103(a)

The Examiner has rejected claims 1-10, 12-27, 29-39, 58 and 59 under 35 U.S.C. §103(a) as being unpatentable over Jain et al. (US 6,312,134). Some of these claims have been cancelled.

Independent claims 1, 18, 58 and 59 have been amended to incorporate the limitations of the allowable claims 11 and/or 29. Therefore, the independent claims and the remaining claims that depend from them should be allowable over the art of record.

To provide clear notice to the public of the meaning of “superpose” as used in this application, we refer the reader to figure 3. From figure 3, the reader will see that overlapping sub-images are referred to as superposed, which invokes the broader dictionary definition and not the geometric definition of two figures whose perimeters exactly coincide. The superposition of sub-images in figure 3 superimposes parts of one sub-image on top of parts of the other, without attempting to match their perimeters.

Parts of one sub-image are superimposed on parts of the other, when they are "superposed".

CONCLUSION

Applicant respectfully submits that the pending claims are now in condition for allowance and thereby solicit acceptance of the claims as now stated.

Applicant would welcome an interview, if the Examiner is so inclined. The undersigned can ordinarily be reached at his office at (650) 712-0340 from 8:30 a.m. to 5:30 p.m. PST, Monday through Friday, and can be reached at his cell phone at (415) 902-6112 most other times.

Fee Authorization. The Commissioner is hereby authorized to charge any fee(s) determined to be due in connection with this communication, or credit any overpayment, to our Deposit Account No. 50-0869 (MLSE 1048-1).

Respectfully submitted,

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/Ernest J. Beffel, Jr./

Ernest J. Beffel, Jr.
Registration No. 43,489

HAYNES BEFFEL & WOLFELD LLP
P.O. Box 366
Half Moon Bay, CA 94019
Telephone: (650) 712-0340
Facsimile: (650) 712-0263